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DAVID SHRAGA (SBN 229098)
KAWAHITO & SHRAGA LLP
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Telephone: (310) 746-5300
Facsimile: (310) 593-2520
david@kawahitoshraga.com

Attorneys for Defendant
Jacob Steinbeck

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

TIMOTHY and JEANNE DuFOUR and
KENNETH TANNER, individuals, and on
behalf of other members of the general public
similarly situated,

Plaintiffs,

v.

BE., LLC, DYNAMIC SHOWCASES, LLC,
California limited liability companies,
MONTEREY FINANCIAL SERVICES, INC.,
a California corporations, BE MARKETING
LIMITED, a private limited company
registered in England and Wales, ERIK
DeSANDO, BARRY FALCK, JACOB
STEINBECK, and DOES 1 through 10,
inclusive,

Defendants.

Case Number: 09-03770-CRB

[Assigned to the Hon. Charles R. Breyer]

**DECLARATION OF DAVID R. SHRAGA
IN SUPPORT OF DEFENDANT JACOB
STEINBECK'S OPPOSITION TO
PLAINTIFFS' MOTION FOR A
PROTECTIVE ORDER**

DECLARATION OF DAVID R. SHRAGA

I, David R. Shraga, declare as follows:

1. I am an attorney duly licensed to practice law in the State of California and before this Court, and am a partner in the law firm of Kawahito & Shraga, LLP, the attorneys for Defendant, Jacob Steinbeck.

2. I have personal knowledge of the following matters and, if called to testify concerning them, could do so completely.

3. Thus far the Court has ruled on three motions to dismiss that resulted in dismissal of various claims (some with prejudice) against various of the originally named defendants. Defaults have been sought with respect to certain companies and individuals. Defendant's deadline to file a summary judgment motion has been set for October 22, and Plaintiffs' deadline to reply has been set for November 15, 2010. The motions are set to be heard on December 3, 2010.

4. Plaintiffs' First Set of Requests for Production of Documents to Jacob Steinbeck request information concerning Rising Stars and Blue Sky, which are alleged or believed to be companies that provided services to Be., LLC's members.

5. Attached hereto and marked as Exhibit A is a true and correct copy of an internet web page located at <http://beproductionsscam.blogspot.com/2009/07/be-productionsmonterey-financial.html>, dated July 20, 2009, which claims to post language contained on a webpage set up by Plaintiffs' counsel relating to this action.

6. Attached hereto and marked as Exhibit B is a true and correct copy of an internet web page located at <http://beproductionsscam.blogspot.com/2010/02/class-action-law-suit-against-be.html>, which claims to post a letter dated February 4, 2010 from Plaintiffs' counsel, Ethan Preston.

7. Attached hereto and marked as Exhibit C is a true and correct copy of an internet web page located at <http://www.facebook.com/topic.php?uid=50098797174&topic=12953>, which

1 claims to post a brief follow up to the letter dated February 4, 2010 from Plaintiffs' counsel, Ethan
2 Preston.

3 I declare under penalty of perjury under the laws of the United States of America and the
4 State of California that the foregoing is true and correct. This declaration was executed on
5 September 10, 2010, at Los Angeles, California.

6 Dated: September 10, 2010

7 
David R. Straga

EXHIBIT A

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GoBeOnTv,My Talent Services,Be Productions ,Advance Fee Rip-Off

This blog is to warn everyone out there about GoBeOnTv, My Talent Sevice, Be Productions,My Artists Place,Monterey Financial Services,Erik DeSando and similar illegal activity . If you were a victim or ex-employee that was part of the activity,let me know. Advance fee talent companies such as above were run in a illegal manner and should suffer huge penalties according to the law.

Home

Anonymous wrote...
I was not aware that a class action lawsuit took place and I wish I was part of it. My credit was not great before this, but now it is worse with the Monterey claim on there. It actually shows up
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Anonymous wrote...
i'm new.. promise to brief round more regularly!

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Wow! ..remember what is reminded here! Don't pay for any service untill you receive what you are paying for! If it looks like poo and smells like poo than guess what!

Anonymous wrote...
I, too had gotten the communications from Martin regarding my daughter and I replied to him by saying that if he had asked for \$20 per workshop I probably would have continued without any further
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Anonymous wrote...
Too Clayton, You may say that Martin is truthful, then how come he says he has been in many movies, and done many modelling gigs. when he is not listed anywhere, and no respectful model has ever heard
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Gonna Be Productions Scam wrote...
Hello Clayton (if that is your real name) Normally unless I know who would like to post a comment on this blog,they are not allowed. But as in the case of other individuals I allowed it (see..I am ..
[Continue >>](#)


Clayton James wrote...
You know you should be careful, You are dragging people through the mud because you are angry, not because they have done anything. I have known Martin for a long time and know he is an honest and ..
[Continue >>](#)

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JOHN Paul Gaultier? It's Jean NOT John. I think if there were any truth to his claim of being a model he'd know how to spell that name correctly.

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All comments are moderated Please send me a e-mail address. I can send your information to Angel. I know he went through "hell" to get this resolved and did a lot of work. If you send
[Continue >>](#)

Anonymous wrote...
How did Angel win against MFS? They are still tring to collect just under \$1000 from me and have reported it on my credit report. I am considering taking them to small claims court and would like ..
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Raider Scott 8/4

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Gonna Be Productions Scam
This is what happened to my family and what I went through and did. This blog has grown to other families that went through the same thing we did. This also has stories from ex-employee's and stories done about what they did and what's going on. My goal is to have other parents avoid going through what they put other and my family through.
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Monday, July 20, 2009

Class Action/Be Produtctions/My Talent Services/Mnterey Fianancial Services

All you need to do is click on the title of this post and it will take you to the web page set up to take complaints for the class action. This Link will direct you to where they are investigating potential claims in a class action law suit.


Companies Offering Assistance or Career-Counseling In the Entertainment Industry

Preston Law Offices, LLC and Parisi & Havens LLP are investigating potential claims against companies that provide or attempt to provide children auditions related to employment in the entertainment industry, or career counseling, evaluation, planning or other resources in connection with employment in the entertainment industry. These companies may have misleading or fraudulent practices that are actionable under a variety of laws. Moreover, some companies' contracts may be invalid under the Advance Fee Talent Services Act, so that their customers may be able to recover the money already paid out to these companies as well as eliminate any outstanding liability on existing contracts. The state of California enacted the Act in response to a history of abusive, fraudulent, and/or misleading practices, and the Act tightly regulates that industry. In addition, some of these companies use third party firms to collect money from their customers in ways that violate the law.

We are evaluating bringing a class action against one or more of the companies we are investigating. In a class action, our clients would act as class representatives and could recover damages and other remedies on behalf of all other people with similar claims (without those people having to necessarily hire an attorney). Click here to read more about class actions. If you or someone you know have signed a contract with such a company, please contact us using the form to the right.

Preston Law Offices, LLC
1658 North Milwaukee Avenue #253
Chicago, Illinois 60647
ep@eplaw.us


Posted by Gonna Be Productions Scam at 7:11 PM



Labels: GoBeOnTV Scam My Talent Service Scam Be Productions Scam My Talent Service Scam Erik DeSando Scam Barry Falck Scam Advance Talent Fee Scam Adrian R' Mante Scam Sean Casamento Scam', My Talent Service Be On TV Productions Monterey

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Scam' (1)

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Advance Talent
Fee Scam Adrian
R' Mante Scam
Sean Casamento
Scam' (83)

GoBeOnTV Texas
Scam Erik
Desando Sal
Casamento Be
Productions Scam
Advance Fee
Ripoff (1)

HollywoodEastPro
ductionsScamGoB
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Norma 7/30



We would also like to be part of the law suit action against Be On TV. I was scammed in July 2009 ... [More »](#)

Unknown 6/30



We would like to be part of the class action lawsuit against Be and Monterey Financial. Please conta... [More »](#)

Unknown 11/24



Agree, include us in that action!

Unknown 8/31



We would like to be part of the class action lawsuit against Be. com San Jose I hav ea lot of the e... [More »](#)

Madalyn Friedman 8/26

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Financial Eric Desando scam Barry Falck scam D C scam Be Productions Scam My Artists Place Scam Gonna Be Scam, My Talent Service Monterey Financial Eric Desando scam Barry Falck scam D C scam Be Productions Scam My Artists Place Scam Gonna Be Scam

2 comments:

Anonymous said...

A class action was filed in US District Court, Northern District of California. Information about the class action can be obtained from:

Ethan Preston
Preston Law Offices, LLC
1658 North Milwaukee Avenue, No. 253
Chicago, IL 60647
(312) 492-4070 (telephone)
(312) 262-1007 (facsimile)
ep@eplaw.us | eplaw.us

Or the California firm:

George Tuttle III
Law Offices of George R. Tuttle, A.P.C.
One Embarcadero Center Suite 730
San Francisco, CA 94111
Direct: (415) 288-0428
Cell: 254-5986
Firm: (415) 986-8780
Fax: (415) 986-0908
Email: geo@tuttlelaw.com
Web: www.tuttlelaw.com

Thursday, August 27, 2009 12:23:00 PM

Anonymous said...

A class action was filed in US District Court, Northern District of California on 8/17/2009. Information about this class action is available from:

Ethan Preston
Preston Law Offices, LLC
1658 North Milwaukee Avenue, No. 253
Chicago, IL 60647
(312) 492-4070 (telephone)
(312) 262-1007 (facsimile)
ep@eplaw.us | eplaw.us

Or the California firm:

George Tuttle III
Law Offices of George R. Tuttle, A.P.C.
One Embarcadero Center Suite 730
San Francisco, CA 94111
Direct: (415) 288-0428
Cell: 254-5986
Firm: (415) 986-8780
Fax: (415) 986-0908
Email: geo@tuttlelaw.com
Web: www.tuttlelaw.com

Thursday, August 27, 2009 12:26:00 PM

My Talent Service
Be On TV
Productions Scam
My Artists Place
Scam Gonna Be
Scam (1)

My Talent Service
Be On TV
Productions
Monterey
Financial Eric
Desando scam
Barry Falck scam
D C scam Be
Productions Scam
My Artists Place
Scam Gonna Be
Scam (72)

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D C scam Be
Productions Scam
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Scam (66)

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EXHIBIT B

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GoBeOnTv,My Talent Services,Be Productions,Advance Fee Rip-Off

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Anonymous wrote...


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How did Angel win against MFS? They are still tring to collect just under \$1000 from me and have reported it on my credit report. I am considering taking them to small claims court and would like.
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<http://www.youtube.com/watch?v=Eh3rDckG7Rk>

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This is what happened to my family and what I went through and did. This blog has grown to

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Thursday, February 4, 2010

Class Action Law Suit against Be Productions, a message from Ethan Preston

Class action lawsuit against Be., LLC

Thu, February 4, 2010 8:42:08 AM

From:
Ethan Preston

View Contact
To: Ethan Preston
Dear Parents,

This email contains information about a class action complaint against Be., LLC and several other related businesses and people. We are writing to update you on the progress of the case because you have contacted one of the attorneys at my firm, or at the co-counsel firms also involved in the case (Parisi & Havens LLP and Bramson, Plutzik, Mahler & Birkhaeuser LLP). You can read a copy of the complaint here:

<http://www.archive.org/download/gov.uscourts.cand.218362/gov.uscourts.cand.218362.1.0.pdf>

We are currently focused on the following Defendants: Monterey Financial Services, LLC., 1901 Co., Jacob Steinbeck, My Talent Services (also known as MTS Holdings Group, Inc.), and its owner Vitaiy Rashkovan. We would like to hear from anyone with any additional information about these Defendants (beyond what is in the Complaint). If you have any information about these Defendants, please email me with a brief description at your earliest convenience. It is important that you email us, so that we can assign the right person to speak with you as efficiently as possible. One of our priorities is gathering information from anyone interacted with My Talent Services. We also know that many parents refused to continue paying their service fees to Monterey Financial Services, LLC after seeing the 7 On Your Side newscast on Be., LLC. (You can see the 7 On Your Side Newscast here: http://abclocal.go.com/kgo/story?section=news/7_on_your_side&id=6345835) Another priority is gathering information from anyone who discussed the newscast with any of Monterey Financial Services, LLC's employees.

You do not need to contact us at this time to ensure that you are included in the class action. You do not need to "opt-in" to the class at this time. (Please understand that hundreds of people have contacted us. We understand many of you are very upset with the Defendants' actions and want to ensure you are included in the class action, but there is no need to do so and individually speaking with each parent would take a significant amount of time away from the legal work that needs to be done in this case.) We will do our best to keep you informed on the general status, but because we do not directly represent each of you (prior to class certification), we have to be careful not to divulge information protected by the attorney-client privilege.

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Scam' (83)

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Ripoff (1)

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Unknown 11/24

Agree, include us in that action!
Unknown 8/31

We would like to be part of the class action lawsuit against Be .com San Jose I hav ea lot of the e ... [More »](#)
Madalyn Friedman 8/26

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While we do seek to represent all of the customers that paid money to Be., LLC, at the current time we only represent the two clients individually named in the lawsuit. The usual rule is that class members who do not actively opt out are automatically included in the class action. If and when the Court certifies the case as a class action, you will receive formal notice of the lawsuit and be given the opportunity to opt out. We hope to identify all of Be., LLC's customers from the Defendants' records (not just the parents who have contacted us). If those records will not provide that information, we will contact you again for your help in documenting your claims

Sincerely,

Ethan Preston

Ethan Preston
Preston Law Offices

Posted by Gonna Be Productions Scam at 9:18 PM
 Labels: HollywoodEastProductionsScamGoBeOnTV Scam Scam Be Productions Scam My Talent Service Scam Erik DeSando Scam Barry Falck Scam Advance Talent Fee Scam Adrian R' Mante Scam Sean Casamento Scam'

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My Talent Service Be On TV Productions Monterey Financial Eric Desando scam Barry Falck scam D C scam Be Productions Scam My Artists Place Scam Gonna Be Scam (72)

My Talent Service Monterey Financial Eric Desando scam Barry Falck scam D C scam Be Productions Scam My Artists Place Scam Gonna Be Scam (66)

EXHIBIT C



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<input checked="" type="checkbox"/> Keep me logged in	Forgot your password?	

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Follow-up email on class action lawsuit against Be., LLC

Back to That Kids Got Talent/BE on TV/Be Productions/Gonnabe.com SCAM!!!!

Discussion Board **Topic View**

Topic: Follow-up email on class action lawsuit against Be., LLC

Displaying the only post



Scott Dear Parents,

This is a brief follow-up email regarding the class action complaint against Be., LLC and others.

As the February 4, 2009 email mentioned, we are planning to ask the Court to certify the case as a class action. As part of that effort, we are asking you to please send us copies of your contracts with Be., LLC and/or Monterey Financial Services, LLC. Additionally, some of you may have marketing materials from Be., LLC. Please email us your contracts and other materials to gonnabe@eplaw.us or fax them to (312) 262-1007. Please be sure to separately include your name and the date you signed your contract with Be., LLC in your email or in the fax cover sheet.

Additionally, we are investigating whether or not Monterey Financial Services, LLC may have recorded or monitored calls without disclosing that the calls were recorded. If you received calls from Monterey Financial Services, LLC which did not explicitly disclose that the call was recorded, please email your name, telephone number, and the approximate dates of the calls from Monterey to monterey@eplaw.us.

Many thanks,

Ethan Preston

Ethan Preston
Preston Law Offices
1658 North Milwaukee Avenue, No. 253
Chicago, IL 60647
(312) 492-4070 (telephone)
(312) 262-1007 (facsimile)
ep@eplaw.us | eplaw.us
about 7 months ago